



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.12.2016

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

Writ Petition (MD) No.22711 of 2015

C.Anand Raj

... Petitioner

Vs.

1.The Principal Secretary,
Health and Family Welfare Department,
Secretariat, State of Tamil Nadu,
Fort St., George, Chennai.

2.The Director of Medical and Rural Health Service,
State of Tamil Nadu, Keelpakkam,
Chennai 600 010.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to fill the existing Government Doctor Vacancies in Government Hospital in the State of Tamil Nadu within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani
For Respondents : Mr.M.Govindan,
Special Government Pleader.

ORDER

(Order of the Court was made by **A. SELVAM, J**)

This Writ Petition has been filed under Article 226 of the Constitution of India praying to direct the respondents to fill up the vacancies of doctors in Government Hospitals in the State of Tamilnadu.

2.It is averred in the petition that the petitioner is a resident of Bharathi Nagar, Krishnapuram Colony, Madurai. Further it is marshalled in the petition that throughout the State in Government Hospitals, starling vacancies of doctors are in existence. But the respondents have not taken any effective steps to fill up the vacancies so as to meet out the needs of ailing general public. Under the said circumstances, the present petition has been filed for getting the relief sought therein.



3. On the side of the respondents, counter has been filed, wherein it is averred that only 129 vacancies of doctors in Government Hospitals are in existence and therefore, the present petition deserves to be dismissed.

4. The learned counsel appearing for the petitioner has in fact assorted the vacancies which are in existence in Government Hospitals in all the Districts throughout Tamilnadu. Further it is a humdrum that there are so many vacancies of doctors in Government Hospitals and the ailing general public are suffering like anything. Under the said circumstances, the contention put forth on the side of the petitioner is really and factually tenable.

5. The learned Special Government Pleader appearing for the respondents has also conceded to the effect that there are certain vacancies of doctors in Government Hospitals throughout the State and the same can be filled up on phased manner.

6. Considering the nature of relief sought in the present petition and also considering the fact that filling up of vacancies of doctors in Government Hospitals is imminent, this Court is of the view to pass the following order.

7. In fine, this writ petition is allowed without cost. The respondents are strictly directed to fill up the existing vacancies of doctors in all the Government Hospitals in Tamil Nadu within a period of six months.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Secretary,
Health and Family Welfare Department,
Secretariat, State of Tamil Nadu,
Fort St., George, Chennai.

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SMA/SKS-RR/SAR-1/26.12.2016:2P/3C